

Message

From: Robinson, Valois [Robinson.Valois@epa.gov]
Sent: 3/19/2020 10:04:58 PM
To: Bahrman, Sarah [Bahrman.Sarah@epa.gov]; Minter, Douglas [Minter.Douglas@epa.gov]
CC: Sierra-Lopez, Omar [Sierra-Lopez.Omar@epa.gov]
Subject: RE: Dewey-Burdock Uranium Recovery Site - Tribal Consultation

Thanks for that info, Sarah. On Tuesday I asked Darcy about a window for meeting with the OST: Tuesday, May 26 – Thursday, May 28, but have not heard back from her yet. This window looked good on both Darcy's and Kim's calendars. The OST Secretary is waiting to hear back from me on these dates to schedule our next consultation meeting. I know things are busy and this just got lost in the volume of email, but would you check those date with her for me, please?

Thanks!

Valois

Valois Robinson
EPA Region 8
Underground Injection Control Program
MailCode: 8WD-SDU
1595 Wynkoop Street
Denver, CO 80202-1129
(303) 312-6276
robinson.valois@epa.gov

From: Bahrman, Sarah <Bahrman.Sarah@epa.gov>
Sent: Thursday, March 19, 2020 3:56 PM
To: Minter, Douglas <Minter.Douglas@epa.gov>
Cc: Sierra-Lopez, Omar <Sierra-Lopez.Omar@epa.gov>; Robinson, Valois <Robinson.Valois@epa.gov>
Subject: RE: Dewey-Burdock Uranium Recovery Site - Tribal Consultation

Hi all –

Ex. 5 Deliberative Process (DP)

Thanks,
Sarah

Sarah E. Bahrman | Chief, Safe Drinking Water Branch | U.S. Environmental Protection Agency - Region 8
(p) 303.312.6243 | (c) 303.903.8515 | (f) 877.876.9101

From: Minter, Douglas <Minter.Douglas@epa.gov>
Sent: Thursday, March 19, 2020 11:54 AM
To: Bahrman, Sarah <Bahrman.Sarah@epa.gov>
Subject: FW: Dewey-Burdock Uranium Recovery Site - Tribal Consultation

Hi Sarah: with Kim's prompt below, will you be bringing this up to Darcy?

douglas

From: Varilek, Kimberly <Varilek.Kimberly@epa.gov>
Sent: Thursday, March 19, 2020 11:02 AM
To: Deardorff, Jason <Deardorff.Jason@epa.gov>; Minter, Douglas <Minter.Douglas@epa.gov>
Cc: Sierra-Lopez, Omar <Sierra-Lopez.Omar@epa.gov>; Robinson, Valois <Robinson.Valois@epa.gov>; Bahrman, Sarah <Bahrman.Sarah@epa.gov>
Subject: RE: Dewey-Burdock Uranium Recovery Site - Tribal Consultation

Thanks Jason – we're seeing this across the board where Tribes are closing or shutting down their government operations, with essential functions only.

One consideration we're hearing from Indian country and that we need to take heavily into our calculus is extending deadlines, timelines, etc., as much as possible, because these communities may not be able to respond to us timely, if at all, at this time.

TAB is working on compiling a list of tribal government operations and travel restrictions for each Tribe in R8, and we're going to be updating this when possible.

With that, I think we need to have a briefing meeting with leadership on these consultation timelines for Dewey Burdock, as well as all consultation timelines, and talk about our expectations internally.

Please let me know if you have any questions. Thank you! – Kim V.

From: Deardorff, Jason <Deardorff.Jason@epa.gov>
Sent: Tuesday, March 17, 2020 10:22 AM
To: Minter, Douglas <Minter.Douglas@epa.gov>; Varilek, Kimberly <Varilek.Kimberly@epa.gov>
Cc: Sierra-Lopez, Omar <Sierra-Lopez.Omar@epa.gov>; Robinson, Valois <Robinson.Valois@epa.gov>; Bahrman, Sarah <Bahrman.Sarah@epa.gov>
Subject: RE: Dewey-Burdock Uranium Recovery Site - Tribal Consultation

Hi all,

I did speak to Richard Leasure, Yankton's Environmental Director and Emergency Response coordinator last week. He said he would look into this but he and the tribal council members were right in the middle of disinfecting after their first case of Coronavirus and they were trying to figure out how to reopen for business without having to continually close down to disinfect as new cases arrive. I'll follow up with Rich again today but my sense is that this is not a high priority for the tribe given the more immediate concerns regarding COVID-19.

Jason

From: Minter, Douglas <Minter.Douglas@epa.gov>

Sent: Monday, March 16, 2020 3:40 PM

To: Varilek, Kimberly <Varilek.Kimberly@epa.gov>

Cc: Sierra-Lopez, Omar <Sierra-Lopez.Omar@epa.gov>; Robinson, Valois <Robinson.Valois@epa.gov>; Deardorff, Jason <Deardorff.Jason@epa.gov>; Bahrman, Sarah <Bahrman.Sarah@epa.gov>

Subject: FW: Dewey-Burdock Uranium Recovery Site - Tribal Consultation

Hi Kim: you may recall that Omar previously contacted Kip Spotted Eagle (Yankton THPO) to follow up on a call he left on Omar's voicemail about two weeks ago. Kip told Omar that EPA would need to conduct consultation in accordance with the Yankton Tribe's protocol. Kip gave no indication as to whether the Tribe was interested in consulting with EPA in response to our recent letter to the Chairman (attached).

When Omar talked to Kip over the phone, he told him that he needed to start the consultation process by contacting Secretary Sully. Omar then sent the email below to Secretary Sully who responded back to Omar that the POC is Kip Spotted Eagle, the THPO.

Ex. 5 Deliberative Process (DP)

Thanks!

Regards,

Omar Sierra-Lopez
Physical Scientist (Environmental)

U. S. Environmental Protection Agency (Region 8)

Underground Injection Control Program

Mail Code: 8WD-SDU

1595 Wynkoop Street

Denver, Colorado 80202-1129

Phone 303.312.7045

EPA Region 8 UIC website:

<http://www.epa.gov/uic/underground-injection-control-epa-region-8-co-mt-nd-sd-ut-and-wy>

From: Glenford Sully <gsully52@gmail.com>

Sent: Sunday, March 15, 2020 10:18 AM

To: Sierra-Lopez, Omar <Sierra-Lopez.Omar@epa.gov>

Subject: Re: Dewey-Burdock Uranium Recovery Site - Tribal Consultation

Yes the tribes protocols call for consultation with our general council. We have been discussing this and Kip Spotted Eagle, YST THPO Director is our contact person.

On Wed, Mar 11, 2020, 4:05 PM Sierra-Lopez, Omar <Sierra-Lopez.Omar@epa.gov> wrote:

Secretary Sully:

I am contacting you as follow-up to the attached letter the EPA sent to Chairman Flying Hawk on February 21, 2020 to see if the Yankton Sioux Tribe wishes to schedule a consultation meeting with the EPA regarding the proposed actions at the Dewey-Burdock uranium recovery site in southwest South Dakota. If the Tribe does wish to consult with the EPA, please let me know the first available date we could schedule a meeting.

Regards,

Omar Sierra-Lopez
Physical Scientist (Environmental)

U. S. Environmental Protection Agency (Region 8)

Underground Injection Control Program

Mail Code: 8WD-SDU

1595 Wynkoop Street

Denver, Colorado 80202-1129

Phone 303.312.7045

EPA Region 8 UIC website:

<http://www.epa.gov/uic/underground-injection-control-epa-region-8-co-mt-nd-sd-ut-and-wy>